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| 10/717,867 | 11/19/2003 | Hiroshi Chishima | 17261 | 9342 |

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| EXAMINER | |
|---|---|
| LUDWIG, MATTHEW J | |
| **ART UNIT** | **PAPER NUMBER** |
| 2178 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/717,867 | CHISHIMA, HIROSHI | |
| | Examiner | Art Unit | |
| | Matthew J. Ludwig | 2178 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *23 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,3-23,28 and 29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-23,28 and 29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. This action is responsive to the amendment received 5/23/2007. The examiner acknowledges applicant's claim to foreign priority to Japanese Patent Application 2002-336149, filed 11/20/2002.

2. Claims 1-27 are pending in the case. Claims 1, 18, 19, 20, 21, 22, 23, 24, and 25, are independent claims. Applicant cancelled claims 2, and 24-27

3. Claims 1, 3-23, 28, and 29, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Shigemi.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1, 3-23, 28, and 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Shigemi et al., USPN 6,314,434 filed (10/8/1998).**

**In reference to independent claim 1**, Shigemi teaches:

The structured data management system is a strong tool that supports a variety of business activities in the enterprise by linking many objects that express their structure and behavior. See column 5, lines 46-67. The above mentions business method teaches an information service which, when utilized, requires extension of markup language/meta

information. In reference to limitation 'an application program downloaded when an information service requiring an extension of a markup language or meta-information is used', the application program could be the actual script associated with the nodes for separating data from processes. Since the proposed system is designed to handle various business documents as one of the structured data objects, SGML-based documents can readily be subjected to the system. The management/control scripts can be divided into three groups as follows. The first kinds of scripts are used to control the processing engine. For example, one script is used to load SGML documents related to a management object into the structured data management unit. The third kind of management/control scripts is used to record the history of events and messages that have been processed by the processor engine. Still another script supports copyright protection for the scripts of management objects. See column 10, lines 5-67. The scripts taught by Shigemi provide an application program downloaded when an information service requiring an extension of markup language or meta information is used. The scripts read on an application program (as presently claimed) and refer to an extension of markup language or meta information.

The script interpreter parses and executes MIPS scripts which contain the process definition concerning each management object. Furthermore, although the SGML and MIPS have been chosen in the embodiment, the present invention is not limited to these particular language specifications. As an alternative to SGML, XML can be used to produce DTDs. Instead of MIPS, any interpreter languages can be used for scripting processes (compare to "***a document parser unit for converting document data into structured document information according to an instruction from an application program***"). See column 9, lines 15-45 and column 10, lines 20-54. Although the reference fails to explicitly state a document parser it provides a suggestion

of parsing SGML and XML data into structured document data (and or nodes) to read out a relationship description associated with the target instance. It would have been obvious to one of ordinary skill in the art having the well known business document system taught by Shigemi and modified the parser to produce DTD's from both SGML and XML for clearly separating data from processes.

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave (compare to "***a document information manipulation unit for enabling the structured document information to be referred from the application program***"). See column 5, lines 45-55.

Depending on the content of each active process, a work list written in the Hyper Text Markup language (HTML) is delivered from the processing engine to the client process. This processing engine is constructed within a WWW server, while the client process is a WWW browser (compare to "***a browser core unit for displaying a document based on the structured document information according to an instruction from the application program***"). See column 10, lines 10-21.

If the two versions have an explicit relationship, the structured data processing unit continues the process according to the inter-node relationships being defined explicitly. The structured data processing unit the prompts the user to enter an appropriate instruction, while showing him/her the current situation of both structured data objects (compare to "***event information informing unit for, when an event relating to a displayed document takes place, informing the application program of event information indicating a type of the event and a part of the document where the event takes place***"). See column 6, lines 51-67.

**In reference to dependent claim 3**, Shigemi teaches:

The client environment allows the user to interact with the system through a graphical user interface. The client environment further provides the edit tool and other software development tools. The client process sends messages to the processing engine in response to inputs from the user or the edit tool. See column 11, lines 13-25.

**In reference to dependent claim 4**, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

**In reference to dependent claim 5 & 7**, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that

will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

**In reference to dependent claim 8**, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

**In reference to dependent claim 9**, Shigemi teaches:

If there is a structured data object named "organization," which describes an enterprise's organizational structure. This organization model should be updated to a new version, each time a change occurs in the enterprise's organization. Suppose here that one member node of the old structured data object has become obsolete as a result of changes in the organization. In this case, messages addressed to the obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper level structure of the obsolete node in the old version. See column 5, lines 10-30.

**In reference to dependent claim 13**, Shigemi teaches:

Messages generated by a script in a management object to call up another script in a different management object. See column 9, lines 16-40. Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

**In reference to dependent claim 14**, Shigemi teaches:

Messages sent from the client process to the processing engine in response to the user's keyboard/mouse operations. See column 9, lines 15-45.

**In reference to dependent claim 16**, Shigemi teaches:

The message queue actually has two parts; one serves as the temporary storage for event messages, and the other serves as the storage for event log information. The first part of the message cue keeps the messages making a classification according to their originators. The stored information is used to check the present status of each process concerning individuals or some specialized groups. See column 9, lines 57-67.

**In reference to dependent claim 17**, Shigemi teaches:

The structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 20-25.

**In reference to dependent claims 6, 10, 12, and 15**, the messages (i.e. messages sent from the client process to the processing engine in response to the user's keyboard/mouse operations, E-mail messages sent from processing engines in other systems, messages sent form the timer

event processor at a predetermined time, or messages generated by a script in a management object to call up another script in a different management object) being transmitted would have provided sufficient voice production processing.

**In reference to claims 18-23, 28, and 29**, the claims recite similar limitations used for performing the methods as claimed in 1-5. In further view of the following, the claims are rejected under similar rationale.

***Response to Arguments***

6. Applicant's arguments filed11/28/06 have been fully considered but they are not persuasive.

Applicant describes the problems recognized and solved by applicant's claimed invention and further states a way to overcome this problem by providing a browser capable of accessing a large variety of web pages, including those that make use of non-standard or extended function. In addition, the applicant states the newly amended limitation, 'an application program downloaded when an information service requiring an extension of a markup language or meta-information is used" and further recites a document parser that responds to instructions from the downloaded application program. The applicant states Shigema does not disclose or suggest any technique for producing DTDs, and does not explicitly state a document parser. The management/control scripts can be divided into three groups as follows. The first kind of scripts is used to control the processing engine. For example, one script is used to load SGML documents related to a management object into the structured data management unit. Therefore, there is a suggestion of a document parsing unit present in the teachings of Shigemi and parsing

SGML documents. See column 10, lines 20-67 and column 14, lines 5-67. The structured data management unit reads the DTD and instances of a management object. The reference provides a proficient suggestion of a parsing technique utilized with SGML documents.

## *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML

STEPHEN HONG
SUPERVISORY PATENT EXAMINER